



United States Department of State

Washington, D.C. 20520

May 15, 2019

Case No. F-2017-15758

Segment: S/ES-S-0001C3; S/ES-S-0001IC1C1; S/ES-S-0003C2; SES-S-0003C3

Campaign for Accountability  
611 Pennsylvania Avenue SE, #337  
Washington, DC 20003

Dear Mrs. O'Connor:

I refer to our letter dated April 16, 2019, regarding the release of certain Department of State (“Department”) records under of the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. The Department has retrieved 15 additional documents responsive to your request. After reviewing these documents, we have determined that 1 document may be released in full, and 14 documents may be released in part.

An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made excisions, the applicable exemptions are marked on each document. All non-exempt material that is reasonably segregable from the exempt material has been released, and is enclosed.

The processing of your request remains ongoing. If you have any questions, your attorney may contact Assistant U.S. Attorney Marina Braswell, at [Marina.Braswell@usdoj.gov](mailto:Marina.Braswell@usdoj.gov) or (202) 252-2561. Please refer to Civil Action Number 18-cv-0464 and FOIA case number F-2017-15758 in all correspondence regarding this case.

Sincerely,

A handwritten signature in cursive ink that reads "Corynne Geron for Susan C. Weetman".

Susan C. Weetman  
Chief, Programs and Policies Division  
Office of Information Programs and Services

Enclosures: As stated.

**Figueroa, Priscilla C**

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**From:** Mowers, Matthew D  
**Sent:** Monday, January 23, 2017 7:48 PM  
**To:** [redacted]  
**Cc:** Flynn, Matthew J; [redacted]  
**Subject:** Executive Orders

**RELEASE IN PART**  
**B6**

B6

John,  
Could Matt Flynn (copied, our legal lead) and I receive the final copy of the hiring freeze, the Mexico City policy EO, and the TPP EO?

We are trying to get ahead of the curve on items that could affect DOS.

Thanks for the help.

Matt  
Official  
UNCLASSIFIED

**Figueredo, Priscilla C**

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**From:** Schouten, Schuyler J. EOP/WHO [redacted] [redacted] B6  
**Sent:** Tuesday, January 24, 2017 11:01 AM  
**To:** Flynn, Matthew J  
**Subject:** Mexico City; hiring freeze; TPP [redacted] **RELEASE IN PART B5,B6**  
**Attachments:** 2017tpp.mem.rel.docx; 2017mexicocitypolicy.mem.rel.docx;  
2017hiringfreeze.mem.version2.docx

Matt,  
Please see attached. [redacted]

[redacted]  
Schuyler

B5

THE WHITE HOUSE

Office of the Press Secretary

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For Immediate Release

**RELEASE IN FULL**

January 23, 2017

January 23, 2017

MEMORANDUM FOR THE SECRETARY OF STATE  
THE SECRETARY OF HEALTH AND HUMAN SERVICES  
THE ADMINISTRATOR OF THE UNITED STATES AGENCY  
FOR INTERNATIONAL DEVELOPMENT

SUBJECT: The Mexico City Policy

I hereby revoke the Presidential Memorandum of January 23, 2009, for the Secretary of State and the Administrator of the United States Agency for International Development (Mexico City Policy and Assistance for Voluntary Population Planning), and reinstate the Presidential Memorandum of January 22, 2001, for the Administrator of the United States Agency for International Development (Restoration of the Mexico City Policy).

I direct the Secretary of State, in coordination with the Secretary of Health and Human Services, to the extent allowable by law, to implement a plan to extend the requirements of the reinstated Memorandum to global health assistance furnished by all departments or agencies.

I further direct the Secretary of State to take all necessary actions, to the extent permitted by law, to ensure that U.S. taxpayer dollars do not fund organizations or programs that support or participate in the management of a program of coercive abortion or involuntary sterilization.

This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

The Secretary of State is authorized and directed to publish this memorandum in the *Federal Register*.

DONALD J. TRUMP

# # #

**Figueroa, Priscilla C**

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**From:** Talento, Kathryn F. EOP/WHO [redacted]  
**Sent:** Tuesday, January 24, 2017 12:22 PM  
**To:** Flynn, Matthew J; Wasinger, Robert K  
**Subject:** Mex city lang and talkers  
**Attachments:** MexCity Talkers.docx; Mex City Memorandum FINAL 1-23-17.docx

B6

**Figueroa, Priscilla C**

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**From:** Mowers, Matthew D  
**Sent:** Tuesday, January 24, 2017 12:55 PM  
**To:** john.eanes [REDACTED]  
**Subject:** FW: IO bureau  
**Attachments:** MexCity Talkers.docx; Mex City Memorandum FINAL 1-23-17.docx

**RELEASE IN PART**  
**B5,B6**

B6

-----Original Message-----

From: Talento, Kathryn F. EOP/WHO [mailto:[REDACTED]]  
Sent: Tuesday, January 24, 2017 12:24 PM  
To: Mowers, Matthew D <[MowersMD@state.gov](mailto:MowersMD@state.gov)>  
Cc: Wasinger, Robert K <[WasingerRK@state.gov](mailto:WasingerRK@state.gov)>  
Subject: RE: IO bureau

B6

This is Mex City language and talkers. The other ones I don't have but should be on wh web site.

-----Original Message-----

From: Mowers, Matthew D [mailto:[MowersMD@state.gov](mailto:MowersMD@state.gov)]  
Sent: Tuesday, January 24, 2017 12:09 PM  
To: Talento, Kathryn F. EOP/WHO [REDACTED]  
Cc: Wasinger, Robert K <[WasingerRK@state.gov](mailto:WasingerRK@state.gov)>  
Subject: RE: IO bureau

B6

Katy,

Moving forward, you can email me on issues involving State (Rob as well, copied here).

I'm serving as Senior White House Advisor and can probably help expedite certain issues involving both policy and personnel.

Do you happen to have the language of the EO's that POTUS has signed in the past few days? We're working on implementation from the State perspective.

Thanks,  
Matt

-----Original Message-----

From: Talento, Kathryn F. EOP/WHO [mailto:[REDACTED]]  
Sent: Tuesday, January 24, 2017 11:58 AM  
To: Skinner, Kiron K <[SkinnerKK@state.gov](mailto:SkinnerKK@state.gov)>  
Cc: [REDACTED] Mowers, Matthew D <[MowersMD@state.gov](mailto:MowersMD@state.gov)>  
Subject: RE: IO bureau

B6

B6

Bill is not representing State. Bill is representing HHS. The lead for the U.S. delegation to the World Health Assembly (that's WHO) is HHS. The Senate-Confirmed Delegate was the CDC Director (who of course resigned with the outgoing administration). The law requires the person be a Medical Doctor and Senate confirmed. The alternate does not have to be any of those things. A political advisor does not as well. This is run out of the Office of Global Health Affairs at HHS, which Bill used to run.

[REDACTED] I'm copying Rob Wasinger, who can help you communicate with IO if necessary.

B5

-----Original Message-----

From: Skinner, Kiron K [mailto:[SkinnerKK@state.gov](mailto:SkinnerKK@state.gov)]  
Sent: Tuesday, January 24, 2017 10:54 AM  
To: Talento, Kathryn F. EOP/WHO [REDACTED]  
Cc: [REDACTED] Skinner, Kiron K <[SkinnerKK@state.gov](mailto:SkinnerKK@state.gov)>; Mowers, Matthew D <[MowersMD@state.gov](mailto:MowersMD@state.gov)>  
Subject: RE: IO bureau

B6

Dear Bill,

I have spoken with Nerissa Cook, deputy assistant secretary for IO (a career person), and she said that you should coordinate with Anne Blackwood to be at the US Mission in Geneva at 11:45 am ET for the meeting, but you need to have the necessary clearances and they should be verified in advance of the meeting.

Dear Katy,

[redacted]

B5

Best,

Kiron

-----Original Message-----

From: Talento, Kathryn F. EOP/WHO [mailto:[redacted]

B6

Sent: Tuesday, January 24, 2017 8:09 AM

To: Skinner, Kiron K

Cc: [redacted]

B6

Subject: IO bureau

Hi Kiron,

Quick problem I'm hoping you can solve. Bill Steiger, copied above, is representing the President at the WHO meeting in Geneva this week for us. He's a civilian right now (was head of Global Affairs and our WHO delegate at HHS under Bush, and is awesome, by the way), and is serving as a political "advisor" to the career alternate delegate. He is also on your State beachhead when he comes back (Wave 3) at the end of the week. Apparently, IO bureau is having a conference call today that he needs to be on (I'll be getting the details in a couple hours when I talk to him) but they're not letting him participate. Can you solve this problem? He needs to be on it. (Bill, Kiron is in charge of policy for State beachhead). Bill's number is [redacted] if you need to reach him. Great talking to you again last night. Thanks much! Katy Official - Transitory UNCLASSIFIED Official UNCLASSIFIED

B6

**Official**

**UNCLASSIFIED**

**Figueroa, Priscilla C**

**From:** Mowers, Matthew D  
**Sent:** Tuesday, January 24, 2017 6:02 PM  
**To:** andrew.p.bremberg  
**Subject:** Mexico City Talking Point

**RELEASE IN PART**  
**B5,B6**

B6

Andrew,  
Dept of State comms team is looking to provide talking points on background on the Mexico City policy. Do these look in alignment with the WH?

B5

**Official**  
**UNCLASSIFIED**

**Figueroa, Priscilla C**

**From:** Mowers, Matthew D  
**Sent:** Saturday, January 28, 2017 5:32 PM  
**To:** Ditto, Jessica E. EOP/WHO  
**Cc:** Hazelton, Jennifer L  
**Subject:** Re: Evening Communications Briefing

**RELEASE IN PART**  
**B6**

Thanks Jessica

Sent from my iPhone

On Jan 28, 2017, at 5:23 PM, Ditto, Jessica E. EOP/WHO [REDACTED] wrote:

B6

Will get you on this list. Please only share the portions respective to your area and keep that distribution tight. Thanks

Sent from my iPhone

Begin forwarded message:

**From:** Cliff Sims <[cliff.sims@useopwh.service.govdelivery.com](mailto:cliff.sims@useopwh.service.govdelivery.com)>  
**Date:** January 28, 2017 at 5:13:48 PM EST  
**To:** [REDACTED]  
**Subject: Evening Communications Briefing**  
**Reply-To:** <[cliff.sims@useopwh.service.govdelivery.com](mailto:cliff.sims@useopwh.service.govdelivery.com)>

B6



EVENING COMMUNICATIONS BRIEFING  
Jan. 28, 2017

**Top Line Message:**

- This was an incredible week of action, during which the President delivered on numerous campaign promises. He is doing exactly what he said he was going to do, and he's getting results.

**ANNOUNCEMENTS/NEWS OF THE DAY**

**President Trump's First Week of Action**

**Top Line**

- 15: Presidential Actions to begin fulfilling his promises to 'Make America Great Again.'
- 8: Diplomatic conversations with foreign leaders to promote an 'America First' foreign policy.
- 4: Members of President Trump's cabinet sworn into office.
- 3: Stakeholder meetings to get input from both workers and business leaders on jumpstarting job creation.

- 3: Engagements with members of Congress to discuss his agenda.
- 3: Visits to federal agencies committed to protecting our homeland and ensuring our national security.
- 1: Official White House visit from a foreign head of state.
- 1: Reception to honor law enforcement and first responders.
- 1: Proclamation supporting National School Choice week.
- The President's team followed through on his commitment to action, by:
  - contacting 28 federal agencies and departments on a daily basis.
  - discussing legislative items with at least 75 House members or their staffs and 35 Senators or their staffs.
  - making initial contact with governors in each state and territory, and having in-depth discussions with 32 governors or their staffs.
  - discussing issues with 22 state Attorneys General.
  - beginning outreach to our nation's largest municipalities and tribes.

### **Executive Order Protecting America From Foreign Terrorist Entry (Extreme Vetting)**

#### **Top Line Message**

- The President's Order restricts entry into the United States from several nations compromised by terrorism – Iraq, Iran, Syria, Libya, Yemen, Somalia and Sudan.
- The security of the American homeland and the lives of the American people are at stake – we must get this right. The President's Order is a step in that direction.
- This order – which is in the clear interests of U.S. national security – is precisely what the President campaigned on and is now implementing. No one can or should be surprised. He is doing exactly what he said he would.
- This Executive Order will continue to be implemented quickly, professionally and smoothly.
- We know for a fact that terrorists are trying to infiltrate countries by blending in with refugees, and even the FFD Director has noted, the federal government currently lacks the documentation to fully vet many refugees that are entering the United States right now.

#### **Background**

- For tens of millions of people around the world traveling to or emigrating to the U.S., this Executive Order will have no impact.
- Historically, the United States is the most generous country in the world in admitting refugees from war-torn nations, and this will not change under this Executive Order.
- Similar to when President Obama put in place a 6 month pause on the Iraqi refugee program, President Trump is placing national security first.
- The Order caps the number of refugees that can enter the United States annually at 50,000, which is approximately the number that were allowed to enter the U.S. under President Bush.

#### **Top FAQ On Visa-Related National Security Executive Order**

- Why can't we delay the Executive Order?
  - Any action taken in the interest of national security must be executed without delay.
- Are there any exemptions?
  - U.S. green card holders from countries affected by the Executive Order will be able to get waivers on a case by case basis for re-entry.
  - The State Department is moving expeditiously to process these waivers.
  - Individuals who were in transit as the Order was signed are having their cases expedited.
  - Our immigration system is among the most complex set of rules and regulations in the world. Our caseworkers are professionals that have done a stellar job implementing these policies with relatively few hiccups.
- New York Times story on some refugees and immigrants stuck in airports
  - The acting director of U.S. Customs and Border Protection has already given a waiver to one of the

individuals in the NYT story, and the other will receive it shortly (check back ahead of Sunday shows), showing that the waiver system is working and serving its purpose.

- Is this EO targeting Muslims?
  - Anyone who says this is a "Muslim ban" is either misinformed or maliciously spreading false information
  - There are many majority Muslim countries (such as Indonesia and Pakistan, the two most populous Muslim countries) not on the list – so this accusation is not supported by the facts.
- Why was no guidance issued ahead of this EO's implementation?
  - It would be reckless to disseminate implementation strategies ahead of time for a program with such significant national security implications.
- Did the Executive Order lead to Iran banning the entry of Americans?
  - We have no problem if Iran would also like to re-evaluate their entry protocols, as long as they respond reciprocally and also make determinations on a case by case basis.
  - It's the right of every nation to determine who may pass through its borders and how they apply for that privilege.

#### **Phone Call with President Putin**

- In his first week in office, President Trump had conversations with 10 foreign leaders, including five on Saturday alone, so President Putin was just one of many.
- Developing a productive relationship with Russia is in the best interest of the United States.
- The Obama administration wanted to improve US-Russia relations, but their "Reset" failed. The President-elect will not repeat their mistakes.
- Russia will have much greater respect for the United States under President Trump's leadership.
- The safety of the American people and security of the American homeland are the President's top priorities, and he looks forward to turning the page on the failed foreign policy of the past eight years.

#### **Memorandum Outlining 30-Day Plan to Defeat ISIS**

- This Presidential Memorandum instructs the Joint Chiefs of Staff to, in the next 30 days, deliver to the President a plan to defeat ISIS.
- Before committing U.S. resources -- both human and financial -- to any military engagement, clearly defined objectives must be laid out.
- This is a profound statement that the President's clear objective is to destroy ISIS, and that we are going to do it systematically.
- We will pursue aggressive joint and coalition military operations to destroy ISIS, international cooperation to cutoff their funding, expand intelligence sharing, and cyberwarfare to disrupt and disable their propaganda and recruiting.
- This is not only a necessary step for America's national security, it is also a humanitarian imperative.
- If ISIS is left in power, the threat that it poses will only grow. We know it has attempted to develop chemical weapons capability. It continues to radicalize our own citizens, and its attacks against our allies and partners continue to mount. The United States must take decisive action.
- This Executive Order Does The Following:
  - Establishes that it is the policy of the United States that ISIS be defeated.
  - Instructs the Joint Chiefs of Staff to, in the next 30 days, deliver to the President a plan to defeat ISIS that includes:
    - A comprehensive strategy and plans for the defeat of ISIS;
    - Recommended changes to any United States rules of engagement and other United States policy restrictions that exceed the requirements of international law regarding the use of force against ISIS;
    - Public diplomacy, information operations, and cyber strategies to isolate and delegitimize ISIS and its radical Islamist ideology;

- Identification of new coalition partners in the fight against ISIS and policies to empower coalition partners to fight ISIS and its affiliates;
- Mechanisms to cut off or seize ISIS's financial support, including financial transfers, money laundering, oil revenue, human trafficking, sales of looted art and historical artifacts, and other revenue sources; and
- A detailed strategy to robustly fund the Plan.

#### **Memorandum Organizing The National Security Council And The Homeland Security Council**

- The security threats facing the United States transcend international boundaries, but our national security decision-making structures and processes have not adapted to this new reality.
- The President's order modernizes our structures to meet the threats of our time.

#### **Ethics Executive Order**

- Prior administrations have imposed ethics agreements and lobbying bans, but the Trump administration's is perhaps the most stringent.
- President Trump is delivering on his promise to Drain the Swamp in Washington, D.C., and return power to the American people.
- Under this executive order, every executive branch appointee:
  - Will be subject to a five-year lobbying ban.
  - Will abide by post-employment restrictions on communicating with employees of their former executive branch agency.
  - Will not engage in lobbying activities with respect to any covered executive branch official for the remainder of the Administration.
  - Will never lobby on behalf of a foreign government or foreign political party.
  - Will not accept gifts from lobbyists for the duration of their service as an appointee.
  - Will be subject to a two-year ban on participating in any matter related to a former employer or client, including with regard to regulations and contracts.
  - Will not, once entering government service, engage on any issue for which he or she previously lobbied for a period of two years.
  - Will only make hiring and other employment decisions based on candidates' qualifications, competence and experience.

## **POTUS SCHEDULE**

### **Saturday**

- Phone Call with Prime Minister of Japan
- Phone Call with Chancellor of Germany
- Video Teleconference with President of Russia
- Phone Call with President of France
- Executive Order Signing
- Phone Call with Prime Minister of Australia

### **Sunday**

- No public events scheduled

## **ADDITIONAL BACKGROUND ON RECENT NEWS**

#### **Presidential Memorandum to Rebuild the U.S. Armed Forces**

Topline:

- Quote from the President: "We will rebuild our military and alliances, destroy terrorists and face all our enemies head on and make America safe again."
- Within 30 days the Secretary of Defense will submit a "readiness review" to the President and within 60 days a plan to address deficiencies will be put into effect.
- In an effort to pursue peace through strength, the U.S. military will bolster its capabilities in all areas, including missile defense, cyber defense and nuclear deterrence.
- The safety of the American people and the security of the American homeland are the President's top priorities.

This Presidential Memorandum:

- Makes it clear that the policy of the United States shall be to rebuild the U.S. armed forces.
- Instructs the Secretary of Defense to conduct a 30-day "readiness review," in which he will:
  - 1. Assess readiness conditions, including training, equipment maintenance, munitions, modernization and infrastructure; and,
  - 2. Submit to the President a report identifying actions that can be implemented within the current fiscal year and that are necessary to improve readiness conditions.
- Instructs the Secretary of Defense to, within 60 days, submit to the President a plan of action to achieve the levels of readiness identified in the Secretary's Readiness Review before FY 2019.
- Instructs the Secretary of Defense to produce a National Defense Strategy, which will give the President and the Secretary maximum strategic flexibility and to determine the force structure necessary to meet requirements.
- Instructs the Secretary of Defense to initiate a new Nuclear Posture Review to ensure that the United States nuclear deterrent is modern, robust, flexible, resilient, ready, and appropriately tailored to deter 21st-century threats and reassure our allies.
- Instructs the Secretary of Defense to initiate a new Ballistic Missile Defense Review to identify ways of strengthening missile-defense capabilities, rebalancing homeland and theater defense priorities, and highlighting priority funding areas

**UK PM Theresa May Visits White House**

- The UK and US have a longstanding special relationship, and will continue to work closely together on our mutual security and economic interests.
- In this meeting, the President hopes to assure the PM and the UK that we remain very focused on the special and vibrant relationship between our two countries.
- These are two leaders who came into office very similarly – the people of the United States and United Kingdom sent a clear message that they wanted a break from the establishment with a government that puts people first.
- The President looks forward discussing a bilateral trade agreement with the UK that will create jobs and boost wages for American workers.
- As the PM said in Philadelphia on Thursday, "we have the opportunity – indeed the responsibility – to renew the Special Relationship for this new age. We have the opportunity to lead, together, again."

**POTUS phone call with Mexican President**

- POTUS and Mexican President Enrique Peña Nieto spoke by phone Friday morning for an hour.
- The two had a productive and constructive call regarding the bilateral relationship between the two countries, the current trade deficit the United States has with Mexico, the importance of the friendship between the two nations, and the need for the two nations to work together to stop drug cartels, drug trafficking and illegal guns and arms sales.
- With respect to payment for the border wall, both presidents recognize their clear and very public differences of position on this issue but have agreed to work these differences out as part of a comprehensive discussion on all aspects of the bilateral relationship.
- Both presidents have instructed their teams to continue the dialogue to strengthen this important strategic and economic relationship in a constructive way.

**How to Pay for the Wall**

- The President is working closely with congressional leaders on a plan to pay for a wall along the U.S.'s southern border

- A tax on Mexican exports coming into the U.S. is just one example of the many ways Mexico could ultimately pay for the wall through comprehensive tax reform.
- The U.S. has substantial leverage to obtain from Mexico the funds necessary to pay for a border wall.

#### **Outreach to Congress**

- This week, the Legislative Affairs office met or spoke with more than 110 offices.
- That's in addition to the President and Vice President speaking at the Congressional Republican retreat in Philadelphia and several Capitol Hill trips from the Vice President.
- All this was accomplished in just the first week, we intend to continue to reach out to additional members in the days ahead.
- In just his first few days in office, President Trump has shown a willingness to engage with legislators from both parties in order to get his agenda moving, something that his predecessor rarely did.
- The President and Vice President together are actively engaging on the Hill, pushing policies that will make Americans safer and get them back to work.

#### **Enhanced Interrogation**

- The President believes enhanced interrogation tactics work, based on the information he has seen.
- However, he is deferring to Defense Secretary James Mattis's position that these tactics should not be reinstated.
- The President will always follow the law with regard to the interrogation and detention of enemy combatants.
- The safety of the American people and the security of the American homeland come first.

#### **Executive Actions on Immigration and National Security**

- **Topline:**
  - President Trump has quickly signed a series of executive actions keeping his promises to reduce the burden of regulations, expedite high priority energy and infrastructure projects, secure our borders, and enforce our immigration laws.
  - These moves will create jobs, boost wages and strengthen our national security.
  - The President has gotten right to work, fighting on behalf of American families, workers and manufacturers.
- **EO on Border Security and Immigration Enforcement**
  - By directing the immediate construction of a physical wall along the border, this executive order will begin the process of finally securing our border with Mexico once and for all.
  - It will also provide additional tools and resources for the Department of Homeland Security to support the dedicated men and women within the agency who are responsible for securing the border, and will begin the process of hiring more men and women to secure our border.
  - These tools and resources will include more detention space for detained illegal immigrants along the Mexican border, the elimination of the dangerous "catch-and-release" policy, and expanded cooperation with state and local law enforcement.
  - This executive order will also direct the Attorney General to have the Department of Justice prioritize the prosecution of criminal offenses with a nexus to the southern border.
- **EO on Enhancing Public Safety in the Interior of the United States**
  - This executive order will give the Department of Homeland Security the tools it needs to enforce federal immigration law within the United States.
  - It will remove the restraints that have been placed on the dedicated men and women of Immigration and Customs Enforcement (ICE) and allow them to arrest, detain, and remove illegal immigrants from the United States.
  - It will require the State Department to withhold visas and use other tools to make other countries accept the return of their criminals.
  - It will restore the popular and successful Secure Communities Program, which will once again allow ICE to target criminal illegals for removal.
  - It will also authorize the Departments of Homeland Security and Justice to withhold certain types of federal grant

funding from sanctuary jurisdictions for efforts to undermine federal immigration law.

### SCOTUS

- The President intends to nominate an Associate Justice to the United States Supreme Court next Thursday.
- This will be one of the most important decisions he makes – impacting generations of Americans – and he is taking it very seriously.
- The individuals under consideration were selected, first and foremost, because of their commitment to constitutional principles, with input from respected conservative leaders.
- A significant number of voters considered the Supreme Court the most important issue of the election. Those voters overwhelmingly supported President Trump, and he is going to deliver a worthy successor to Justice Scalia.
- Democrat attempts to block the President's nominee would mean they're casting aside the will of the public when a significant part of it voted based on this issue.
- Justice Scalia was a brilliant and remarkable Supreme Court Justice. He never legislated from the bench, always upheld the Constitution, and protected Americans' most cherished freedoms.
- The next Supreme Court Justice will embody the ideals and principles that defined Justice Scalia's career, and will represent the constitutional principles the President values.

### Voter Fraud

- As you saw from his tweet, the President is looking into various options to address voter fraud.
- On Thursday, while in Philadelphia for the Congressional Republicans retreat, he will also provide an update on actions he may be taking to that end.
- The concept of "one person, one vote" is a hallmark of our democracy, it's so important to maintain the integrity of our voting process.
- The President has stated before his concerns about voter fraud and people voting illegally during the campaign - this is a belief he maintains and is based on studies and evidence that has been brought before him.

### Executive Actions on Trade and Jobs

- Pipelines
  - Presidential Memorandum for the Keystone XL Pipeline
    - This memorandum fulfills a campaign promise: inviting TransCanada to re-submit their Keystone pipeline proposal and directing agencies to swiftly approve it.
    - The Keystone pipeline is an \$8 billion private sector investment that would create thousands of new jobs and enhance U.S. energy security. The Obama administration blocked it for political reasons.
    - Continuing to block the Keystone pipeline also means energy companies will transport oil with more dangerous, less environmentally friendly, and more expensive methods.
  - Presidential Memorandum for the Dakota Access Pipeline
    - A strong energy pipeline infrastructure is key for America's energy independence, national security, and economic growth.
    - This memorandum directs agencies to expedite reviews and approvals for the remaining portions of the Dakota Access Pipeline, which Obama stalled.
    - This \$3.8 billion pipeline will carry 500,000 barrels per day of crude oil from the Bakken and Three Forks oil production areas in North Dakota to oil markets in the U.S. It is already almost 90% complete.
- Infrastructure
  - Executive Order – High Priority Infrastructure Projects
    - This Executive Order establishes a framework for expediting environmental reviews for high priority infrastructure projects.
    - It also delays and other inefficiencies in the environmental review and permitting process are severely impeding critically important projects to rebuild and modernize our nation's infrastructure.
    - All too often, projects of critical importance to our nation's infrastructure get tied-up in bureaucratic red tape. This Order will help put an end to those delays.
  - Executive Order – Project Labor Agreements

- This EO revokes an Obama EO that encouraged requiring Project Labor Agreements (PLAs) on federal construction projects. This EO instead requires neutrality toward PLAs.
- Federal contracts should go to whoever offers the best value for taxpayer dollars – whether they are unionized or not.
- PLA mandates waste taxpayers' money. They raise construction costs by one-sixth.
- PLA mandates discriminate against non-union workers. PLAs require hiring through union hiring halls and following union work rules. This can make it very difficult for non-union workers to get work on federal projects.
- **Regulatory Streamlining**
  - Executive Order – Environmental Justice & Urban Renewal
    - A 1994 EO requires all agencies to make achieving environmental justice part of their mission.
    - To help communities in the inner-cities, it is crucial to promote strong economic growth and job creation.
    - This EO order updates the 1994 order to ensure that environmental justice policies are administered so as to promote, and not to discourage, urban renewal, economic revitalization, job creation, and the rebuilding of our nation's minority and low-income communities.
  - Presidential Memorandum to Streamline Reviews and Reduce Regulatory Burdens for Domestic Manufacturing
    - Manufacturers are telling the President that excessive regulations are driving them out of the U.S.
    - This Memo requires the Commerce Secretary to reach out to manufacturers and the public to identify the regulations that are hurting manufacturing.
    - The Commerce Secretary, working with other agencies, will then give me a report recommending how to streamline manufacturing permitting and reduce the regulatory burden on our manufacturers.
- **Withdrawal from TPP**
  - This multinational trade agreement was negotiated in secret and is not in the best interest of American workers.
  - The President's action ushers in a new era of U.S. trade policy.
  - He is moving quickly to advance trade policies that increase the competitiveness of American workers and manufacturers.
  - We will pursue bilateral free trade opportunities with allies around the world, wherever possible.
  - The President's vision is to negotiate fair trade deals that create American jobs, increase American wages, and reduce America's trade deficit.
- **Mexico City Policy**
  - Under this initiative, the United States will end the use of U.S. taxpayer dollars to fund abortions overseas, along with coercive abortion and sterilization practices.
  - President Trump is committed to life -- for both the unborn and the born -- and he will pursue policies that support that commitment.
- **Hiring Freeze**
  - This memorandum imposes a hiring freeze on the executive branch to counter the dramatic expansion of the federal workforce in recent years and the costs attendant to that expansion.
  - President Trump is committed to being a responsible steward of taxpayer resources.
  - The Federal workforce has expanded significantly during the last two Administrations, from approximately 1.8 million Federal civilian employees during the Clinton Administration to approximately 2.1 million as of 2016 (an approximately 17 percent increase).
  - Meanwhile, Federal employee health and retirement benefits continue to be based on antiquated assumptions and require a level of generosity long since abandoned by most of the private sector.
  - Those costs are unsustainable for the Federal government, just as they are proving to be unsustainable for state and local governments with similar health and retirement packages.
- **Obamacare**
  - This executive order is an emergency, stop-gap measure intended to help ObamaCare's victims until President Trump and the Republican Congress can swiftly repeal and replace the disastrous law once and for all.
  - In broad terms, it orders departments and agencies to exercise all their authority and discretion to relieve the crushing burden on Americans caused by ObamaCare.
  - Specifically, this order:

- Allows federal agencies to waive, defer, grant exemptions from or delay the implementation of ObamaCare elements that impose a cost, penalty or regulatory burden on American patients, doctors, hospitals, employers and other businesses.
- Defers as much authority and flexibility to the States as possible, still consistent with law, to meet the healthcare needs of their citizens.
- Eases regulatory and other impediments to the flourishing of a free and open health care market that offers the maximum options for patients and other key stakeholders.
- The President will vigorously advocate for legislative action to broaden healthcare access, make healthcare more affordable and improve the quality of the care available to all Americans.
- The President and congressional Republicans are taking action, putting the health and safety of the American people first, and working toward delivering on their promises.
- Myth vs. Fact:
  - Myth: You're taking away people's healthcare!
    - Fact: No, former President Obama and his party took away people's healthcare. Millions of people have already lost their plans, or their insurance company, or their doctor. Millions more have coverage that they can't use because their deductibles are too high. This order is merely an attempt to stop the bleeding and relieve Americans from the worst and most pressing burdens of Obamacare's mandates, taxes and red tape.
    - Myth: You're backing away from your promise to repeal and replace legislatively (with Congress).
      - Fact: No, the House and the Senate and they are assembling the pieces of our legislative package for ObamaCare repeal and replace right now. We want to cross all the t's and dot the i's so that there are no mistakes and no surprises. Unlike Nancy Pelosi, we believe in knowing what's in the bill before it passes.

### **Regulatory Freeze**

#### **Topline:**

- This memorandum freezes all regulations that were in process, but were not finalized by noon on Inauguration Day.
- It is patterned after similar memoranda issued by the incoming Chiefs of Staff of both President Bush and President Obama.
- This process helps avoid "midnight" rulemaking by the outgoing administration and ensures that the President's appointees or designees have the opportunity to review any new or pending regulations.

#### **Additional details:**

- No regulation will be sent to the Office of the Federal Register (OFR) -- unless granted an exception by the Acting Director of the OMB -- until the agency head appointed by President Trump reviews and approves the regulation.
- Regulation that has been sent to the OFR but not published in the Federal Register will be immediately withdrawn.
- Regulations that have been published in the OFR but have not taken effect will temporarily postpone their effective date for 60 days for the purpose of review.

### **FBI Director**

- No decision has been made on the FBI Director's position. An announcement will be made at the appropriate time.

### **EPA/DOI Social Media Policies**

- To be clear, in both cases, the White House has not directed a halt to any employee communications. Any direction has come from the agencies and is consistent with that respective agency's social media college.
- It is within the administration's right to request agencies temporarily cease certain media communications until new team are in place.
- This is to prevent certain executive agencies from putting out messaging content that would conflict with the agenda the American people just voted into office.

### **Legislative Agenda**

- Speaker Ryan has laid out six areas Republicans in Congress plan to focus on during the current legislative session, each of which is an integral part of the President's plan to Make America Great Again.
- 1. Repealing Obamacare

- President Trump's healthcare reform agenda will broaden healthcare access, make healthcare more affordable and improve the quality of the care available to all Americans.
- HHS nominee Dr. Tom Price is the go-to expert on quality health care policy and will play an integral role in this process.
- 2. Regulatory relief
  - We must craft a modern regulatory framework that slashes the out-of-control bureaucracy that costs our economy \$2 trillion dollars each year.
- 3. Reforming the tax code
  - The President's pro-growth tax plan ensures every income group will receive a tax cut and low-income Americans will pay no taxes at all.
- 4. Securing the border
  - America's immigration policy must prioritize the jobs, wages and security of the American people.
- 5. Rebuilding our military
- 6. Infrastructure
  - We must transform America's crumbling infrastructure into a golden opportunity for accelerated economic growth and productivity gains with a deficit-neutral plan targeting substantial new infrastructure investments.

### ObamaCare Repeal and Replace

#### Topline:

- Upon taking office President Trump immediately moved to ease the burden of ObamaCare via executive order in an effort to smooth the transition from repeal to replace.
- He has made it clear that ObamaCare should be repealed and replaced "essentially simultaneously."
- Speaker Paul Ryan has echoed those sentiments, saying, "We want to do this at the same time, and in some cases in the same bill," so the President and Congressional Leadership are on the same page.
- The President will vigorously advocate for legislative action to broaden healthcare access, make healthcare more affordable and improve the quality of the care available to all Americans.
- Reminder: ObamaCare passed without a single Republican vote.
- Democrats share the sole responsibility for this disastrous law, which has devolved into a death spiral of skyrocketing costs and poor coverage.
- The President and congressional Republicans are taking action, putting the health and safety of the American people first and working toward delivering on their promises.

#### Additional background:

- President Obama repeatedly promised that his health care policies would bring down costs, allow Americans to keep their doctors and their health plans, increase competition amongst insurers, and would not increase taxes on the middle class. All promises that he subsequently broke.
- Polls show the American people think ObamaCare is failing and has hurt the health care that they and their families receive.
- With ObamaCare's failures piling up, Democrats are starting to turn on it. Even Bill Clinton called the law a "crazy system" where people end up with "premiums doubled and coverage cut in half."

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Unsubscribe

The White House 1600 Pennsylvania Avenue, NW Washington DC 20500 202-456-1111

**Figueroa, Priscilla C**

---

**From:** Haller, Julia Z  
**Sent:** Monday, March 06, 2017 2:11 PM  
**To:** Doocey, Sean E. EOP/WHO; Amy Bradshaw; [REDACTED]  
**Cc:** Mowers, Matthew D  
**Subject:** FW: did you get onboarded this week or what?

B6

Hi Sean,

**RELEASE IN PART**  
**B6**

Kathryn is trying to get Bill Steiger on board at USAID because of the Mexico City Policy; and he does have a badge here at State, so we can get him set up working here; and I can connect with HR over there so he can have a contact there? Do you already have him going over there?

Best,

Juli

**From:** Talento, Kathryn F. EOP/WHO [mailto:[REDACTED]  
**Sent:** Monday, March 6, 2017 1:28 PM  
**To:** Mowers, Matthew D <MowersMD@state.gov>; Inglee, William B <IngleeWB@state.gov>; Haller, Julia Z <HallerJZ@state.gov>  
**Subject:** RE: did you get onboarded this week or what?

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Julia, I've been trying to get Bill onboarded since Jan 20<sup>th</sup>. Can you please give me a call and let me know exactly what the obstacle is? This is getting a little silly. Thanks. You can reach me at [REDACTED]

**From:** Mowers, Matthew D [mailto:MowersMD@state.gov]  
**Sent:** Monday, March 6, 2017 1:26 PM  
**To:** Talento, Kathryn F. EOP/WHO [REDACTED]; Inglee, William B <IngleeWB@state.gov>; Haller, Julia Z <HallerJZ@state.gov>  
**Subject:** RE: did you get onboarded this week or what?

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**From:** Talento, Kathryn F. EOP/WHO [mailto:[REDACTED]  
**Sent:** Monday, March 6, 2017 12:05 PM  
**To:** Mowers, Matthew D <MowersMD@state.gov>; Inglee, William B <IngleeWB@state.gov>  
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**From:** Bill Steiger [mailto:[REDACTED]  
**Sent:** Monday, March 6, 2017 12:00 PM

B6

**To:** Talento, Kathryn F. EOP/WHO [mailto: [REDACTED]]  
**Subject:** RE: did you get onboarded this week or what?

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**Sent:** sexta-feira, 24 de fevereiro de 2017 11:50  
**To:** Bill Steiger [REDACTED]  
**Subject:** did you get onboarded this week or what?

B6

B6

**Figueroa, Priscilla C**

---

**To:** Talento, Kathryn F. EOP/WHO; Mowers, Matthew D; Inglee, William B  
**Subject:** RE: did you get onboarded this week or what?

**RELEASE IN PART**  
**B6**

Okay, I checked and we're working on getting Bill Steiger in here hopefully by tomorrow.

Bill, if you have it, can you please forward the most recent guidance or any notice that went out from USAID in relation to Mexico City Policy?

Thanks,

Juli

Juli Z. Haller  
White House Liaison  
U.S. Department of State  
W: 202.647-6338  
C:

B6

**From:** Talento, Kathryn F. EOP/WHO [mailto:]  
**Sent:** Monday, March 6, 2017 1:28 PM  
**To:** Mowers, Matthew D <[MowersMD@state.gov](mailto:MowersMD@state.gov)>; Inglee, William B <[IngleeWB@state.gov](mailto:IngleeWB@state.gov)>; Haller, Julia Z <[HallerJZ@state.gov](mailto:HallerJZ@state.gov)>  
**Subject:** RE: did you get onboarded this week or what?

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**Sent:** sexta-feira, 24 de fevereiro de 2017 11:50  
**To:** Bill Steiger [REDACTED]  
**Subject:** did you get onboarded this week or what?

B6

B6

**Figueroa, Priscilla C**

---

**From:** Haller, Julia Z  
**Sent:** Monday, March 06, 2017 3:24 PM  
**To:** Doocey, Sean E. EOP/WHO; Amy Bradshaw; [REDACTED]  
**Cc:** Mowers, Matthew D  
**Subject:** RE: did you get onboarded this week or what? RELEASE IN PART  
B6

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Okay, we can have Bill Steiger begin work here tomorrow at State; we'll have him in IO or WHA Bureau for now. We can follow that with a "transfer" with no break in service to USAID if that is still the plan. And then we will just need to figure out his position there.

Best,

Juli

**From:** Haller, Julia Z  
**Sent:** Monday, March 6, 2017 2:11 PM  
**To:** Doocey, Sean E. EOP/WHO [REDACTED]; Amy Bradshaw [REDACTED]; 'Elizabeth.E.Walsh' [REDACTED];  
**Cc:** Mowers, Matthew D <MowersMD@state.gov>  
**Subject:** FW: did you get onboarded this week or what?

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Hi Sean,

Kathryn is trying to get Bill Steiger on board at USAID because of the Mexico City Policy; and he does have a badge here at State, so we can get him set up working here; and I can connect with HR over there so he can have a contact there? Do you already have him going over there?

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**Sent:** Monday, March 6, 2017 1:28 PM  
**To:** Mowers, Matthew D <MowersMD@state.gov>; Inglee, William B <IngleeWB@state.gov>; Haller, Julia Z <HallerJZ@state.gov>  
**Subject:** RE: did you get onboarded this week or what?

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**From:** Mowers, Matthew D [mailto:MowersMD@state.gov]  
**Sent:** Monday, March 6, 2017 1:26 PM  
**To:** Talento, Kathryn F. EOP/WHO [REDACTED]; Inglee, William B <IngleeWB@state.gov>; Haller, Julia Z <HallerJZ@state.gov>  
**Subject:** RE: did you get onboarded this week or what?

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**Sent:** Monday, March 6, 2017 12:05 PM  
**To:** Mowers, Matthew D <[MowersMD@state.gov](mailto:MowersMD@state.gov)>; Inglee, William B <[IngleeWB@state.gov](mailto:IngleeWB@state.gov)>  
**Subject:** FW: did you get onboarded this week or what?

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**From:** Bill Steiger [mailto: [REDACTED]]  
**Sent:** Monday, March 6, 2017 12:00 PM  
**To:** Talento, Kathryn F. EOP/WHO [REDACTED]  
**Subject:** RE: did you get onboarded this week or what?

B6

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**From:** Talento, Kathryn F. EOP/WHO [mailto: [REDACTED]]  
**Sent:** sexta-feira, 24 de fevereiro de 2017 11:50  
**To:** Bill Steiger [REDACTED]  
**Subject:** did you get onboarded this week or what?

B6

B6

## **Figueredo, Priscilla C**

**From:** Haller, Julia Z  
**Sent:** Tuesday, March 07, 2017 11:35 AM  
**To:** Walsh, Erin E. EOP/WHO; Doocey, Sean E. EOP/WHO; Amy Bradshaw  
**Cc:** Mowers, Matthew D  
**Subject:** RE: did you get onboarded this week or what?

**RELEASE IN  
PART B6**

Of course! And by the way, I learned more about USAID in the process of trying to get Bill Steiger here, so let me know if we can talk about placements of people.

I know we have a person, Diana Leo, who is supposed to be our WHL there, but she's delayed in processing with her interim clearance, which you probably already know.

**From:** Walsh, Erin E. EOP/WHO [mailto: [REDACTED]]  
**Sent:** Tuesday, March 7, 2017 11:20 AM  
**To:** Haller, Julia Z <HallerJZ@state.gov>; Doocey, Sean E. EOP/WHO <[REDACTED]> Amy Bradshaw <amycbradshaw [REDACTED]>  
**Cc:** Mowers, Matthew D <MowersMD@state.gov>  
**Subject:** RE: did you get onboarded this week or what?

B6

B6

Thank you Julia!

**From:** Haller, Julia Z [mailto:HallerJZ@state.gov]  
**Sent:** Tuesday, March 7, 2017 10:42 AM  
**To:** Walsh, Erin E. EOP/WHO <[REDACTED]> Doocey, Sean E. EOP/WHO <[REDACTED]> Amy Bradshaw <[REDACTED]>  
**Cc:** Mowers, Matthew D <MowersMD@state.gov>  
**Subject:** RE: did you get onboarded this week or what?

B6

Hi Erin, yes, he's starting at 11AM and needs to get sworn in, and then he'll come up and we can take him to meet Bill Inglee. We're assigning him to IO for now or we can change that to WHA.

**From:** Walsh, Erin E. EOP/WHO [mailto: [REDACTED]]  
**Sent:** Tuesday, March 7, 2017 10:31 AM  
**To:** Haller, Julia Z <HallerJZ@state.gov>; Doocey, Sean E. EOP/WHO <[REDACTED]> Amy Bradshaw <amycbradshaw [REDACTED]>  
**Cc:** Mowers, Matthew D <MowersMD@state.gov>  
**Subject:** RE: did you get onboarded this week or what?

B6

Juli,  
Thank you. Was he able to start today? I spoke with Katie again on it.

**From:** Haller, Julia Z [mailto:HallerJZ@state.gov]  
**Sent:** Monday, March 6, 2017 3:24 PM  
**To:** Doocey, Sean E. EOP/WHO <[REDACTED]> Amy Bradshaw <[REDACTED]>; Walsh, Erin E. EOP/WHO <[REDACTED]>;  
**Cc:** Mowers, Matthew D <MowersMD@state.gov>  
**Subject:** RE: did you get onboarded this week or what?

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Okay, we can have Bill Steiger begin work here tomorrow at State; we'll have him in IO or WHA Bureau for now. We can follow that with a "transfer" with no break in service to USAID if that is still the plan. And then we will just need to figure out his position there.

Best,

Juli

**From:** Haller, Julia Z  
**Sent:** Monday, March 6, 2017 2:11 PM  
**To:** Doocey, Sean E. EOP/WHO [REDACTED]; Amy Bradshaw <[amycbradshaw@state.gov](mailto:amycbradshaw@state.gov)> [REDACTED]  
**Cc:** Mowers, Matthew D <[MowersMD@state.gov](mailto:MowersMD@state.gov)>  
**Subject:** FW: did you get onboarded this week or what?

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Best,

Juli

**From:** Talento, Kathryn F. EOP/WHO [mailto:[Kathryn.F.Talento@state.gov](mailto:Kathryn.F.Talento@state.gov)] [REDACTED]  
**Sent:** Monday, March 6, 2017 1:28 PM  
**To:** Mowers, Matthew D <[MowersMD@state.gov](mailto:MowersMD@state.gov)>; Inglee, William B <[IngleeWB@state.gov](mailto:IngleeWB@state.gov)>; Haller, Julia Z <[HallerJZ@state.gov](mailto:HallerJZ@state.gov)>  
**Subject:** RE: did you get onboarded this week or what?

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B6

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**Sent:** Monday, March 6, 2017 1:26 PM  
**To:** Talento, Kathryn F. EOP/WHO [REDACTED]; Inglee, William B <[IngleeWB@state.gov](mailto:IngleeWB@state.gov)>; Haller, Julia Z <[HallerJZ@state.gov](mailto:HallerJZ@state.gov)>  
**Subject:** RE: did you get onboarded this week or what?

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**From:** Talento, Kathryn F. EOP/WHO [mailto:[Kathryn.F.Talento@state.gov](mailto:Kathryn.F.Talento@state.gov)] [REDACTED]  
**Sent:** Monday, March 6, 2017 12:05 PM  
**To:** Mowers, Matthew D <[MowersMD@state.gov](mailto:MowersMD@state.gov)>; Inglee, William B <[IngleeWB@state.gov](mailto:IngleeWB@state.gov)>  
**Subject:** FW: did you get onboarded this week or what?

B6

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**From:** Bill Steiger [mailto:[bsteiger](mailto:bsteiger)] [REDACTED]  
**Sent:** Monday, March 6, 2017 12:00 PM  
**To:** Talento, Kathryn F. EOP/WHO [REDACTED]  
**Subject:** RE: did you get onboarded this week or what?

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**From:** Talento, Kathryn F. EOP/WHO [mailto:[kathrynt@state.gov](mailto:kathrynt@state.gov)] [REDACTED]  
**Sent:** sexta-feira, 24 de fevereiro de 2017 11:50  
**To:** Bill Steiger <[bsteiger](mailto:bsteiger)> [REDACTED]  
**Subject:** did you get onboarded this week or what?

B6

**Figueroa, Priscilla C**

**From:** Talento, Kathryn F. EOP/WHO [redacted]  
**Sent:** Tuesday, March 07, 2017 6:56 PM  
**To:** Peterlin, Margaret JA; Ciccone, Christine M  
**Subject:** Mexico City Policy

B6

**RELEASE IN PART B5,B6**

Hi Margaret and Christine,

B5

[redacted] Fortunately, we finally have a solution - which is among other things. He has finally been onboarded today, yay! USAID HR was holding him up and so we onboarded him at State and are in the process of getting him moved from there to USAID. I'd like Bill Steiger to be the lead on all Mexico City matters, in close consultation with our team at HHS, Debbie Birx at PEPFAR (who has been great on this). He was Asst Secy for Global Health during Bush 43 at HHS and was the lead in the US delegation to Global Fund and WHO, and was intimately involved in rolling out MCP during that administration. So, I am breathing a sigh of relief to have him on board, and he is able to take over MCP implementation from Bill Inglee. Can you confirm that transfer of responsibility? If you want to discuss more, happy to do so. I'm at [redacted] Thank you SO much! I know y'all have huge to-do lists in front of you and I appreciate your help with this. - Katy

B6

\*\*\*\*\*  
Katy Talento  
Special Assistant to the President  
Domestic Policy Council  
The White House  
[redacted]  
\*\*\*\*\*

B6  
B6

**Figueroa, Priscilla C**

**From:** Smith, Robby (Lee) <Robby\_Smith@lee.senate.gov>  
**Sent:** Thursday, May 11, 2017 2:31 PM  
**To:** Pryor, Pamela D; Bob Flores; Stephen M. EOP/OVP Pinkos; Leahy, Samantha (Cruz);  
Olivia Enos  
**Cc:** Laura Lederer  
**Subject:** Re: Options for Cancelling or pulling a grant/cooperative agreement  
**Attachments:** image001.png; image002.png; image003.png; image004.png; image005.png

RELEASE IN  
PART B6

Can we funnel the already appropriated funds to the already existing TIP grants? The money is still spent on the intended purpose, just disbursed through already existing structures.

**From:** "Pryor, Pamela D" <PryorPD@state.gov>

**Date:** Thursday, May 11, 2017 at 2:20 PM

**To:** Bob Flores <rfloresesq [REDACTED]>, "Stephen M. EOP/OVP Pinkos" [REDACTED], Robby Smith <robby\_smith@lee.senate.gov>, "Leahy, Samantha (Cruz)" <Samantha\_Leahy@cruz.senate.gov>, Olivia Enos <olivia.enos [REDACTED]>

B6

**Cc:** Laura Lederer <llederer [REDACTED]>

B6

**Subject:** RE: Options for Cancelling or pulling a grant/cooperative agreement

Thanks Bob.

**Official**  
**UNCLASSIFIED**

**From:** Bob Flores [mailto:rfloresesq [REDACTED]]

B6

**Sent:** Thursday, May 11, 2017 10:56 AM

**To:** Pryor, Pamela D <PryorPD@state.gov>; Stephen M. EOP/OVP Pinkos [REDACTED]; Smith, Robby (Lee) <Robby\_Smith@lee.senate.gov>; samantha\_leahy@cruz.senate.gov; Olivia Enos <olivia.enos [REDACTED]>

B6

**Cc:** Laura Lederer <llederer [REDACTED]>

**Subject:** Options for Cancelling or pulling a grant/cooperative agreement

This morning I spoke with a former colleague who was a career SES responsible for grant oversight at Justice. She informed me that her advice would be to simply allow the RFP to lapse, take no action, make no awards, no peer review and simply write to any applicant that submits an application that the Department will not be moving forward with the grant. No explanation is legally required. While I appreciate the speed, be aware that it will invite questions and then the Department is put in the position of defending itself for taking an action it is permitted to take.

USDOS DRL: Proposal Submission Instructions for Applications August 2016

Section V: Additional Information: The U.S. government may (a) reject any or all applications, (b) accept other than the lowest cost application, (c) accept more than one application, or (d) waive informalities and minor irregularities in applications received. (this seems to confirm my colleague's recommendation).

I believe that the better approach is one of the following two choices:

1. Cancel the grant on grants.gov. The staff put the grant on grants.gov, so they know how to cancel it as well. Grants.gov will send anyone that has signed onto their alert system—that provides notice of changes, an alert that the grant has been pulled. Again, no commentary.

From the FAQ section of Grants.gov for government agencies:

**Will I be able to make any modifications to application packages after they are published?**

Yes. You can easily modify an application package at any time. Please keep in mind that if you make any significant changes to an existing application package, applicants who have already downloaded that package may need to re-download and complete a new application package. Applicants who have signed up for notifications will be automatically notified of the changes via email, ***if the grantor chooses to send change notifications (emphasis added).***

2. The best— follow the process set out in USAID’s award and administration directive. It puts the agency in the position of announcing it’s action rather than defending it and provides SEC STATE TILLERSON with an opportunity to defend the President’s position. (This RFP is so lacking that it does not even include language that is mandatory in all USAID grants, i.e., “a statement that USAID reserves the right to fund any or none of the applications submitted...”).

### **303.3.5.4 Cancellation of Notice of Funding Opportunity**

Effective Date: 07/22/2015

The cancellation of a Notice of Funding Opportunity (NOFO) costs the U.S. Government and applicants’ time, effort, and money. USAID should cancel NOFOs only when cancellation is in the public interest. For example:

1. **(1)** When the specific programmatic or focus areas are no longer within the Agency’s mission or objectives.

The new Administration is opposed to creating new international funding mechanisms that could be used to pay for abortions or provide funds to NGOs that could use their own money to advance policies that are in conflict with the US position—such as promoting the legalization or decriminalization of prostitution. Foreign Aid is now targeted against support of abortion and promoting control of funds, not giving away money to international entities that are largely beyond US control.

2. **(2)** When amendments to the NOFO would be of such magnitude that a new NOFO is desirable.

This solicitation is so poorly constructed it does not require any money to go to sub-grantees for work to stop trafficking, but could be used to simply build a fundraising behemoth. The limitations on abortion funding are not clear, especially when looking at the ameliorate language in the RFP:

- A. As currently drafted and recognizing the apparent limited applicability of the Helms Amendment and Mexico City Policy, the RFP arguably permits:
  1. The recipient of funds to pay for an abortion with U.S. funds as long as it is not part of a method of family planning and funds are not used to motivate or coerce any person to practice abortions. Thus, cases of rape, incest, and the threats to the health of the mother—all things that women and girls in trafficking regularly face, become fundable. *See, Section XXX, U.S. Department of State Standard Terms and Conditions*, included by reference in Section 2. *Administrative and National Policy Requirements*, PEMS Solicitation, at 24. This reading is prominently advanced by the Guttmacher Institute, to permit abortion for victims of rape, incest, and to save the life of the mother and is consistent with language identified in “III(A)(3) below. (So it was probably well understood by the Obama folks that this would allow US funds to pay for abortion).
  2. Abortions to be funded by the U.S. contribution, without regard to the Expanded Mexico City Policy as directed by President Trump, as the funds provided by Congress to the State Department and constituting the corpus of the funds to be awarded under the RFP do not constitute “global health assistance” funds.
  3. Abortion assistance to be provided to, “ameliorat[e] the suffering of, or health risks to, victims while they are being trafficked or after they are out of the situation that resulted from such victims being trafficked. This language creates a loophole that will allow multiple serial abortions. *See PEMS Solicitation §F(2)(1) (Federal Award Administration Information)*. (From a previous memo I shared with you).

There is no way to save this RFP without making significant changes. The better and more fair way to do this is to withdraw and reissue as then other anti-trafficking groups will be aware of the RFP and can compete— more competition is good. This also locks the JTIP Office (especially career staff that may need encouragement), into these policies. I have heard some concern that many of the candidates for the new TIP Ambassador may be tempted to wilt when they come under pressure from pro-abortion and pro-prostitution forces to ignore or downplay these positions. This allows us to lock State in early.

If USAID cancels a NOFO, USAID will return any applications it has received unopened and will issue a notice of cancellation, either posted electronically as a general notice or sent to all prospective applicants, or both. USAID staff must purge any electronic applications for a cancelled NOFO from primary and backup data storage systems.

04/03/2017 Partial Revision

The notice of cancellation must:

*Text highlighted in yellow indicates that the adjacent material is new or substantively revised.*

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ADS Chapter 303

1. **(1)** Identify the solicitation number and provide the title or the subject matter,
2. **(2)** Briefly explain the reason why USAID cancelled the NOFO (Simply a quotation of the permissible reason set forth above—the specific programmatic or focus areas are no longer within the Agency's mission or objectives, and
3. **(3)** Assure prospective applicants that they will be given an opportunity to apply for any subsequent or future NOFOs for the program, if appropriate. This is a big plus, it reassures the field that the money is not being hijacked from anti-trafficking efforts and allows current applicants to use most of what they have already done in preparation for applying to use that work.

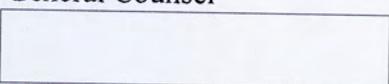
The AO must document the:

1. **(1)** Circumstances and rationale for the cancellation; (This is internal and extremely helpful because this becomes the narrative when State talks with Corker—that this RFP advances Obama's policies and not President Trump's priorities. I don't believe Senator Corker wants to publicly defend an RFP that permits abortions and pro-prostitution policies and funding—either internally or in the press).
2. **(2)** Applications received, returned, and purged; and
3. **(3)** Cancellation notice and NOFO issuance dates. (not limited to pre-deadline—can be done any time prior to funds being issued).

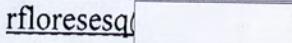
And—this can be communicated simultaneously to the Senator's Office since it is not an award which protocol usually has departments and agencies communicating prior to announcement so that the Congressman or Senator can get political credit.

Please feel free to contact me if you have any additional questions.

J. Robert Flores, Esq.  
General Counsel



rfloresesq



B6

B6

**Figueroa, Priscilla C**

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**From:** Rateike, Bradley A. EOP/WHO [redacted]  
**Sent:** Thursday, May 11, 2017 3:05 PM  
**To:** [redacted] Mowers, Matthew D  
**Subject:** **RELEASE IN PART** B6 Automatic reply: Materials for Mexico City Policy

B6

I am currently on official travel and may be delayed in responding to email. If you need immediate assistance, please contact Kaelan Dorr at [redacted] or [redacted]. Thank you!

B6

**Figueroa, Priscilla C**

**From:** Powell, Dina H. EOP/WHO [redacted] B6  
**Sent:** Monday, May 15, 2017 6:55 AM  
**To:** Peterlin, Margaret JA; Inglee, William B  
**Cc:** Radford, Julie T. EOP/WHO; [redacted] Ivanka Kushner; Dearborn, Rick A. B6  
**Subject:** BRODY FILE EXCLUSIVE: Trump Administration to Significantly Expand Pro-Life Mexico City Policy | CBN News

RELEASE IN PART  
B5,B6

Hey Margaret and Bill

[redacted] B5  
<http://www1.cbn.com/thebrodyfile/archive/2017/05/14/brody-file-exclusive-trump-administration-to-significantly-expand-pro-life-mexico-city-policy>

Sent from my iPhone